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FAX TRANSMISSION

DATE FAXED: September 19, 2005
TO: U.S.P.T.O. CENTRALIZED FAX CENTER
FAX NUMBER: (571) 273-8300
ATTORNEY DOCKET NO: 41627-20037.00
FROM: Michael R. Ward
PHONE: (415) 268-6237
PAGES (Including Cover Sheet): 12 **HARD COPY TO** ☐ YES ☒ NO

U.S. Patent Application Serial No. 10/664,513 filed 9/16/03

For: BIOCHEMICAL METHODS FOR MEASURING METABOLIC FITNESS OF
TISSUES OR WHOLE ORGANISMS

By: Marc K. HELLERSTEIN

Examiner: P. Martin Art Unit: 1655

Our Reference: 41627-20037.00

DOCUMENTS ATTACHED:

- 1) Transmittal - 1 pg
- 2) Response to RR of August 17, 2005 - 10 pgs

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/664,513	
	Filing Date	September 16, 2003	
	First Named Inventor	Marc K. HELLERSTEIN	
	Art Unit	1655	
	Examiner Name	P. Martin	
Total Number of Pages in This Submission	11	Attorney Docket Number	416272003700

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply - Resp. to RR of 8/17/05 - 10 pgs <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement, (Supplemental, 3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD <div style="border: 1px solid black; padding: 2px;">Remarks</div>	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet (1 pgs)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP (Customer No. 20872)		
Signature			
Printed name	Michael R. Ward		
Date	September 19, 2005	Reg. No.	38,651

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Docket No.: 416272003700
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Marc K. HELLERSTEIN

Application No.: 10/664,513

Group Art Unit: 1655

Filed: September 16, 2003

Examiner: P. Martin

For: **BIOCHEMICAL METHODS FOR
MEASURING METABOLIC FITNESS OF
TISSUES OR WHOLE ORGANISMS**

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action mailed August 17, 2005 (Paper No./Mail Date 72205), for which a response is due September 17, 2005. Since September 17, 2005 fell on a Saturday, this response is timely filed.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 9 of this paper.